

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

Ohio County Commission, *et al.*,

Plaintiffs,

v.

Express Scripts, Inc., *et al.*,

Defendants.

Case No.: 5:24-CV-142-JPB

Honorable John Preston Bailey

**STIPULATION FOR EXTENSION OF TIME TO FILE RESPONSE TO
EXPRESS SCRIPTS ENTITIES' MOTION FOR RECONSIDERATION OR IN THE
ALTERNATIVE TO CERTIFY FOR INTERLOCUTORY REVIEW**

Pending before this Honorable Court is Express Scripts Entities' Motion for Reconsideration or in the Alternative to Certify for Interlocutory Review ("the Motion") (ECF No. 199) and accompanying Memorandum of Law (ECF No. 200), filed on August 18, 2025. Plaintiffs and the Express Scripts Entities hereby stipulate that Plaintiffs' responsive briefing deadline to the Motion is hereby extended until September 10, 2025. Further, Plaintiffs and the Express Scripts Entities hereby stipulate that the Express Scripts Entities' reply briefing deadline is hereby extended until September 19, 2025. The parties represent that allowing this additional time will cause no prejudice.

It is so stipulated.

Dated: August 27, 2025.

By: /s/ Clayton Fitzsimmons
Robert P. Fitzsimmons, Esq. (WV Bar #1212)
Clayton J. Fitzsimmons, Esq. (WV Bar #10823)
Mark A. Colantonio, Esq. (WV Bar #4238)
Christine Pill Fisher, Esq. (WV Bar #13450)
FITZSIMMONS LAW FIRM PLLC
1609 Warwood Avenue

Wheeling, WV 26003
Telephone: (304) 271-1700
Email: bob@fitzsimmonsfirm.com
Email: clayton@fitzsimmonsfirm.com
Email: mark@fitzsimmonsfirm.com
Email: christy@fitzsimmonsfirm.com

Counsel for Plaintiffs

/s/ Justin Taylor

Charles R. Bailey (WV Bar #202)
Justin C. Taylor (WV Bar #8014)
BAILEY & WYANT, PLLC
500 Virginia Street, East, Suite 600
Post Office Box 3710
Charleston, West Virginia 25337-3710
T: (304) 345-4222
F: (304) 343-3133
cbailey@baileywyant.com
jtaylor@baileywyant.com

Counsel for Defendants

It is so ORDERED.

DATED: _____

JOHN PRESTON BAILEY
UNITED STATES DISTRICT COURT JUDGE